

BLUE RIBBON PANEL
Department of Transportation District 4 Office Building
600 Northeast Colbern Road
Lee's Summit, Missouri
April 8, 2003

Minutes of Meeting

Meeting Notice

The Blue Ribbon Panel appointed by the Missouri Highways and Transportation Commission (MHTC) met on Tuesday, April 8, 2003, in the Department of Transportation District 4 Office, 600 Northeast Colbern Road, Lee's Summit, MO. A meeting with MoDOT employees convened at 1:30 p.m. The Panel's regular meeting convened at 3:15 p.m.

The meeting agenda, showing the date, time, and location of the meeting, was posted in keeping with Section 610.020 of the 2000 Revised Statutes of Missouri, as amended.

Attendance

Members present for regular meeting:

Dr. Jack Magruder, Chairman
Ray Beck
Freeman McCullah
Larry Stobbs

Members absent:

Emanuel Cleaver
Jim Henson
Tom Irwin
John Mehner
Karen Messerli
Joe Ortwerth
Steve Roberts
Morris Westfall

MoDOT Staff present and providing resource information:

Henry Hungerbeeler, Director
Rich Tiemeyer, Chief Counsel
Pat Goff, Chief Operating Officer
Rich Hood, Director of Communications

Summary of Meeting

Meeting with MoDOT Employees

Prior to the Panel's regular meeting, Chairman Magruder and Panel members McCullah, Stobbs, and Beck met with 30 employees from Districts 1, 2, and 4, without MoDOT management staff, to listen to their input as it pertained to accountability, credibility, and efficiency issues. The employees were selected at random in keeping with a process developed by the MoDOT District Engineers.

Call to Order – Approval of Minutes

Dr. Jack Magruder, Chairman, called the meeting to order. Upon motion duly made and seconded, the minutes of the March 14, 2003, meeting were approved as submitted.

Report on Legislative Leadership Visits

Dr. Magruder reported that he, Joe Ortwerth, and Ray Beck had met with some members of the legislative leadership on April 2. He will relay the information gathered during the meetings to all members of the Panel through discussions at subsequent panel meetings or via a written summary.

Regional Panel Meetings in Rural Areas

Dr. Magruder said he would be organizing a meeting in northeast Missouri to gather public input for consideration by the Panel, and he encouraged members in other rural areas of the state to do likewise. He asked that the date, time, and location of any such meetings be forwarded to him for dissemination to the Panel members, and he expressed the hope that at least two Panel members would attend each meeting.

Legislative Proposals

Dr. Magruder distributed a summary of two proposed legislative bills intended to address accountability issues within MoDOT. MoDOT Director Henry Hungerbeeler discussed each of the proposals. Both the Senate and the House versions would increase the oversight provided by the Joint Committee on Transportation Oversight. The Senate bill establishes an Executive Director to oversee a staff and makes the current Inspector General position within MoDOT a mandatory position. The House bill establishes a Transportation Inspector General to oversee a staff and eliminates the MoDOT Inspector General position and all MoDOT positions related to the duties of the proposed Transportation Inspector General.

Both the Senate and House versions impact the way Highways and Transportation Commission members are selected, and both limit political activities of Commission members. Both versions require additional reporting by MoDOT.

Mr. Hungerbeeler stated that the MoDOT Inspector General position within MoDOT has been very effective and has saved a significant amount of money for the department. He explained that in establishing this position, three employees were added. All remaining positions currently assigned to the Inspector General were on-going functions assigned to other units within MoDOT. Mr. Hungerbeeler expressed concern with the proposal to establish a Transportation Inspector General position and eliminate the MoDOT Inspector General position and staff.

Mr. McCullah noted that both the Senate and House bills appear to impact negatively upon MoDOT. In response to his inquiry, Mr. Hungerbeeler said there had been no effort from transportation related businesses or industry to oppose these measures.

During discussion of the bills, Mr. Hungerbeeler clarified that under the House version, all constituent complaints would be addressed by the Transportation Inspector General. Rich Tiemeyer emphasized that in keeping with the Constitution, the Commission is bi-partisan, which assumes involvement in political issues. He stated, therefore, that the limitation on political involvement could reduce the number of volunteers who would be willing to accept Commissioner positions. In response to an inquiry from Mr. McCullah, Mr. Tiemeyer expressed his opinion that some of the statutory provisions being proposed may be contrary to the Constitution; however, he clarified that it would be the responsibility of the courts to make such a determination.

Dr. Magruder will be meeting in Jefferson City with more legislative leaders during the month of April. He encouraged Panel members whose schedule would allow them to attend to do so.

Staff Visits to Date

Dr. Magruder concluded that the two meetings with MoDOT employees were productive in that the employees were willing to express their views in a straightforward manner and offer proposed solutions for actual and perceived issues. The group agreed that the format of these meetings would remain the same.

The group briefly mentioned some issues of concern presented to date and noted that lack of effective communication with employees continues to be an issue.

Appropriation of Funds to Other State Agencies

The group discussed the need to determine the amount of highway user funds used by other state agencies for highway related purposes in order for the appropriation to be based on

factual data. Discussion revealed that if factual data determines that a portion of the current appropriations to other state agencies are being used for purposes unrelated to highways, the current shortfall of General Revenue would make it challenging for the General Assembly to replace funds that should be reallocated to MoDOT.

Mr. Hungerbeeler expressed concern with the potential for lack of efficiency when MoDOT is required to secure services from other state agencies when like services from private sources may be more cost effective. Examples included expenses associated with an accounting system put in place by the Office of Administration which was not designed to accommodate MoDOT's unique contractor issues; Information System needs; and phone system needs. Mr. Hungerbeeler noted that legislation is currently under consideration that would combine state healthcare programs to increase efficiency; however, he said, to do so will cost MoDOT employees an estimated additional \$1800 per year.

Discussion of Possible Report Themes

The group agreed that the following themes should be addressed in the panel's final report. *The bullet points noted below reflect discussion during the meeting; other issues pertaining to these topics were identified during prior meetings.*

Diversions

- Responsibility for the supplementary highway system.
- Use of highway user funds for modes of transportation other than highways.
- Accounting for highway user funds appropriated to other state agencies.

1992 15-Year Plan

- Why did it fail?
- Project Growth Issues.
- Fallacy in planning beyond a 5-year period.
- Means to allow MoDOT to move forward.

Communications

- Public.
- MoDOT employees.

Mr. Beck suggested the report should show the Panel's findings as it pertained to what happened regarding MoDOT's credibility and accountability, review MoDOT's financial situation, and recommend how people might work together to move forward.

Dr. Magruder encouraged further thought on these issues for further communication by e-mail or discussion at a subsequent meeting.

Request for Additional Information

During the meeting, Mr. Stobbs requested copies of MoDOT employee publications.

Public Input

The Panel met at 6 p.m. to hear presentations from the public. Four individuals submitted testimony. See Attachment A for summary.

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